

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

NEVILLE MCFARLANE et al., *individually and on  
behalf of all others similarly situated*,

Plaintiffs,

-v-

ALTICE USA, INC.,

Defendant.

20-CV-1297 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

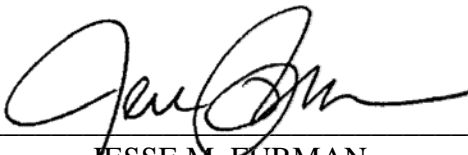
In light of Defendant's new motion to dismiss, *see* ECF No. 45, Defendant's earlier motion to dismiss filed at ECF No. 38 is hereby DENIED as moot. Similarly, in light of Defendant's new motion to compel arbitration and stay proceedings, *see* ECF No. 47, Defendant's earlier motion to compel at ECF No. 35 is hereby DENIED as moot. Per the Court's order of June 17, 2020, ECF No. 41, Plaintiffs' combined opposition to the new motions to dismiss and to compel arbitration is due by **August 31, 2020**. Defendant's combined reply, if any, is due by **September 7, 2020**.

In addition, the Court notes that former Plaintiff Brittany Wiley was dismissed as a named plaintiff from this action on May 5, 2020. *See* ECF No. 32. Accordingly, the Clerk of Court is directed to update the docket to reflect the modified case caption.

The Clerk of Court is further directed to terminate ECF Nos. 35 and 38.

SO ORDERED.

Dated: August 18, 2020  
New York, New York

  
JESSE M. FURMAN  
United States District Judge